

DRAFT/23 Feb 1972

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MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT : Declassification

1. This memorandum sets forth a recommendation for your approval; such recommendation is set forth in paragraph 9.

2. For the past year we have worked on a number of the proposed revisions of E.O. 10501 through the mechanism of the Intra-Agency Security Committee. The most recent revision was reviewed solely by the General Counsel on 16 February 1972 in the Office of the Special Assistant to the Assistant for National Security Affairs. The General Counsel has advised us that "we can live with this draft, although we will not be completely happy with certain portions." It is our understanding that this draft corresponds to the paper prepared by the NSC Staff which we had reviewed in detail.

3. Essentially the draft of the NSC Staff provides the following features:

- a. Automatic downgrading and declassification procedures.
- b. Special Categories, i. e., material exempted from automatic downgrading and declassification. (Information or material disclosing intelligence sources and methods.)
- c. Upon request from any agency or any member of the public, all Special Categories material which is 10 years old, must be reviewed for declassification provided the requester can

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describe the information sought with sufficient particularity to enable the agency responsible for the review to identify it without an unreasonable expenditure of time.

- d. Special Categories material will be automatically declassified after 30 years unless the head of the originating agency determines that such material is currently useful or disclosure would jeopardize a diplomatic or intelligence source.
- e. Its retroactive provisions provide for automatic declassification after 30 years, unless the Agency head determines otherwise.

4. E.O. 10501, as amended, upon which our regulations are based, prescribes the following policies and procedures for the declassification of classified material:

Section 4. "When classified information or material no longer requires its present level of protection in the defense interest, it shall be downgraded or declassified in order to protect the effectiveness and integrity of the classification system and to eliminate classifications of information or material which no longer require classification protection. Heads of departments or agencies originating classified material or information shall designate persons to be responsible for continuing review of such classified information or material on a document-by-document, category, project, program, or other systematic basis, for the purpose of declassifying or downgrading whenever national defense considerations permit and for receiving requests for such review from all sources."

STATINTL

Our Agency [REDACTED] provides that "Classified information or material shall be reviewed on a continuing basis for the purpose of determining the current appropriateness of the classification assigned with a view to declassification or reclassification where appropriate."

5. In the years immediately following the promulgation of Executive Order 10501 in 1953 there was a formal program of classification review. It resulted from the necessity to provide for all the RESTRICTED material which had to be upgraded or declassified, but also included a substantial body of documents which were downgraded. The program functioned within the classification control network, established by the Agency as the result of E.O. 10501 in 1953, and reclassification bulletins were issued regularly by the CIA Classification Control Officer in the Office of Central Reference. There was little interest in the reclassification bulletins or in the master reclassification files maintained in OCR. By the early 1960's, the reclassification process, costly in terms of manpower, was constrained to the point of virtual disappearance. CRS (formerly OCR) continues to file the few reclassification notices received from other agencies and the Central Top Secret Control activity continues to issue semi-annual notices of TOP SECRET documents which have been downgraded. About 100 CIA Top Secret documents were downgraded in 1971. The Classification Control Network remains active, functioning largely for the handling of internal classification questions or problems and responding to ad hoc requests both internal and external for the downgrading of specific CIA documents.

6. In effect CIA has not had a program of "continuing review for downgrading purposes" for many years. The Agency has traditionally taken the position that the Director's statutory responsibility for the protection of intelligence sources and methods and the continuing use of productive sources for periods measured in decades has precluded any effective program.

STATINTL [REDACTED] states "All classified information or material originated by CIA is considered of an intelligence nature within the definition of Group 1 above and is excluded from automatic downgrading or declassification."

7. The Agency thus generally limits its reclassification efforts to a practical program of responding to specific requests for downgrading or declassification. However, Agency offices

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have frequently expended many manhours in sanitizing materials in order to permit their use in an unclassified form. An example of this approach to the regrading problem is the recent declassification by [REDACTED] of all of its publications analyzing Communist propaganda for the years 1947 to 1966.

8. Priority attention is being given to the implementation of directives on declassification so as to be in a position to staff out the Agency policy and procedures as soon as we have adequate assurance as to what the provisions of the proposed Executive Order on that subject will be. In line with the current emphasis on declassification, we will propose to implement policy which will direct more emphasis on review for declassification than that contained in the existing directives. This, of course, will require the expenditure of additional assets especially in light of the delicate judgments required to protect intelligence sources and methods.

9. It is recommended that you concur with our present course of action as outlined in the above paragraph.

John W. Coffey
Deputy Director
for Support

CONCURRENCE:

W. E. Colby
Executive Director-Comptroller

Date